

~~11/9/22~~
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RE: Schulte v. United States of America,
1-22-CV-05841-EK-RML



To whom it May Concern,

On October 13, 2022 I received a Fed. E. Civ. P. 73 Notice with a blank Magistrate-consent-form. There was no docket notice, introduction, case number, Caption, judge name, Magistrate name, etc. My family was finally able to find EDNY case 05841 and relay that information for me, today, November 9, 2022. So I am mailing in the completed form (minus the government, i.e. opposing party's signature, as I am incarcerated). I just wanted to make sure the Court is aware that I am incarcerated with no access to the internet. Also, I am on SAMs so all my mail takes 3-6 weeks for me to receive it from the courts and 2-6 weeks for ~~me to~~ the Court to receive my mail. I consent to the magistrate judge & return the paper.

Finally, there are two outstanding issues necessary to resolve before I file my Rule 41(g) Motions.

First, at the moment the MDC is only permitting me these 6x9 in. pads. I ask the Court to order the MDC to provide legitimate notebooks as they did at MCC — there is no administrative remedy system functioning on the SAMs unit as all my BP-Bs are discarded without any response since early spring 2022, for which I may need to file a Separate Civil Suit against the dysfunctional unit manager Bullock.

Second, on June 3, 2022, I consented to a non-invasive "search" for the government to make a copy of the hard drive on my discovery laptop — not to turn it on, boot it, review the files on the system; and certainly not to inform the government about this search. This is preserved on the record with assurances from a district judge. However, this colloquy occurred at an afternoon classified hearing on 6/3/22, and the transcript is unavailable to me. I ask the Court to order the CISO Dan Heartenstine to conduct a classification review with the CIA to remove the unclassified discussions about the laptop and provide those transcripts to me so I can complete the 41(g) Motion.

Nov 11/9/22 ~~XXXX~~ Thanks,
Josh Schulte

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BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF NEW YORK



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Clerk of Court

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Chief Deputy and Counsel to the Clerk

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(631) 712-6030

NOTICE

In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that *if* all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. You may consent to the magistrate judge who has been assigned to this case or to a new magistrate judge selected at random. Attached is a **blank** copy of the consent form that should be signed and filed electronically **only if** all parties wish to consent **and it is signed by all parties**. A consent form may also be accessed at the following link: <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf>

You may withhold your consent without adverse substantive consequences.

Do NOT return or file the consent unless all parties have signed the consent.

1. The Court has previously found that the Plaintiff's claims are timely.

2. The Court has previously found that the Plaintiff's claims are timely.

3. The Court has previously found that the Plaintiff's claims are timely.

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23. The Court has previously found that the Plaintiff's claims are timely.

24. The Court has previously found that the Plaintiff's claims are timely.

25. The Court has previously found that the Plaintiff's claims are timely.

AO 85 (Rev. EDNY 8/3/2012) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF NEW YORK

Joshua Adam Schulte

Plaintiff

United States of America

Defendant

Civil Action No. 22-CV-05841-EK-RML

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent. You may consent to the magistrate judge assigned to this case or to a new magistrate judge selected at random.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Select one: The parties consent to ☐ the magistrate judge who is assigned to this case
☐ a new magistrate judge selected at random.

Parties' printed names

Signatures of parties or attorneys

Dates

Josh Schulte

United States

unavailable since I am incarcerated

11/9/22

In order for the Consent to be valid, all parties must sign this form and agree to the selection of the magistrate judge.

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

District Judge's signature

Printed name and title

Note: Do not return the form to the Clerk of Court or file it on ECF unless all parties have consented to the exercise of jurisdiction by a United States Magistrate Judge. Do not return this form to a Judge.

Josh Schwite #79471054

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MPC

P.O. Box 32900Z

Brooklyn, NY 11232

NEW YORK NY 100

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OUTGOING
LEGAL MAIL



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U.S. District Court EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

11201-183299

22-79471054-1116-401

